

Message Text

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ORIGIN L-03

INFO OCT-01 ARA-06 ISO-00 SS-15 SCA-01 INR-07 SSO-00

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DRAFTED BY L/M:LAHUMMER

APPROVED BY L/M:KEMALMBORG

L - MBFELDMAN (DRAFT)

ARA/CEN - DJOHNSON

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FM SECSTATE WASHDC

TO AMEMBASSY SAN JOSE IMMEDIATE

C O N F I D E N T I A L STATE 223514

STADIS////////////////////////////////////

E.O. 11652: GDS

TAGS: PFOR, PGOV, CS

SUBJECT: VESCO EXTRADITION: TRANSLATION OF INDICTMENT

REF: A) SAN JOSE 4118; B) SAN JOSE 4346

1. EMBASSY HAS BEEN INFORMED BY PHONE THAT DEPARTMENT HAS BEEN EXPERIENCING SOME RELUCTANCE ON PART OF JUSTICE TO COME UP WITH DECISION ON TRANSLATION OF INDICTMENT. SEQUENCE OF EVENTS AS THEY HAVE DEVELOPED IS SET FORTH BELOW:

A) WHEN REFTEL A RECEIVED, DEPARTMENT DETERMINED THAT COST OF TRANSLATION QUOTED REFTEL WAS LOWER THAN CHARGE FOR TRANSLATION IN DEPARTMENT, AND CALLED JUSTICE, MURRAY STEIN, TO RELAY THAT INFORMATION AND TO GET JUSTICE GO AHEAD. AT THIS POINT, STEIN INFORMED DEPARTMENT THAT HE DID NOT KNOW IF JUSTICE HAD EVER AUTHORIZED ANY EXPENSE RE STUDY OF VESCO EXTRADITION, AND THAT HE WOULD HAVE TO CHECK AND CALL US
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BACK.

B) DEPARTMENT OFFICER PROTESTED TO STEIN THAT THIS WAS PRE-POSTERIOUS IN VIEW OF AMBASSADOR'S MEETING WITH WALDMAN, WHICH STEIN ATTENDED, AND IN VIEW OF JUSTICE LETTER TO DEPARTMENT CONVEYING QUESTIONS TO BE GIVEN TO ORTIZ.

C) STEIN SUBSEQUENTLY RELAYED MESSAGE THAT, SINCE NEWS OF GUIDICELLI OFFER TO TALK ABOUT VESCO, JUSTICE HAD DECIDED, APPARENTLY SOMETIME IN WEEKS PRIOR TO RECEIPT OF REF A, TO DEFER ANY ACTION ON VESCO STUDY. HOWEVER, THIS JUSTICE "DECISION" HAD NEVER BEEN RELAYED TO US.

D) DEPUTY LEGAL ADVISER FELDMAN CALLED DEPUTY ASSISTANT ATTORNEY GENERAL WALDMAN TO DISCUSS MATTER, AND HAS BEEN TOLD BY WALDMAN THAT JUSTICE HAS DEFERRED ANY DECISION ON VESCO PENDING INFORMATION RESULTING FROM CERTAIN "EXCITING DEVELOPMENTS," AND THAT JUSTICE PLANS TO MAKE DECISION IN 10 DAYS OR 2 WEEKS AFTER REVIEWING DEBRIEFING OF "INFORMANT". JUSTICE PREFERS TO PRESENT COMPREHENSIVE PROPOSAL ON VESCO TO BUDGET PEOPLE AT JUSTICE RATHER THAN AUTHORIZE TRANSLATION OR OTHER EXPENDITURES PIECEMEAL. WALDMAN HAS NOT TOLD US WHAT THE "EXCITING DEVELOPMENTS" ARE, AND WE HAVE NO WAY OF KNOWING WHETHER THEY REVOLVE AROUND GUIDICELLI OR SOME OTHER DEA INFORMANT.

2. SINCE JUSTICE APPEARS TO BE INVOLVED IN A BUREAUCRATIC TANGLE OF INDECISION, WE SEE LITTLE PROSPECT THAT MATTER CAN BE RESOLVED PRIOR TO SEPTEMBER 20. WE SEE NO ALTERNATIVE BUT TO TELL ORTIZ TO GO ON TO THE LEGAL CONVENTION IN COLOMBIA AND TO SHELVE VESCO STUDY UNTIL CUMBERSOME BUDGET PROCESS IN JUSTICE BUREAUCRACY HAS WORKED ITS COURSE. KISSINGER

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